

REMARKS

This application has been carefully reviewed in light of the Office Action dated October 21, 2005. Claims 20 and 25 to 35 remain pending in the application, of which Claims 20, 28 and 32 are independent. Reconsideration and further examination are respectfully requested.

Claims 20 and 25 to 33 have been rejected under 35 U.S.C. § 112, first paragraph. In addition, Claims 20, 28 and 32 were rejected under 35 U.S.C. § 112, second paragraph. The rejections are respectfully traversed.

Regarding the § 112, first paragraph and second paragraph rejections of the term "a server function of managing a status of at least one consumable", Applicant submits that those skilled in the art readily understand the meaning of "a server function managing a status" as constituting a server-type program executed by a server, where the program functions to manage a status of use of the consumable. As such, the specification, which describes in no uncertain terms the program for managing the status of a consumable (see, for example, page 137, line 19 to page 138, line 7), clearly provides support of the claimed subject matter. Therefore, the § 112, first paragraph rejections for this term is respectfully traversed. Likewise, the allegation of improper syntax under § 112, second paragraph, is traversed. Nonetheless, the claims have been amended to make the foregoing even clearer. Accordingly, reconsideration and withdrawal of the § 112, second paragraph, rejections are respectfully requested.

With regard to the § 112, first paragraph, rejections for the claimed "receiving unit" and the claimed "storage unit", Applicants wish to direct the Examiner's attention as follows for support for these features.

The claimed receiving unit can be seen to correspond to the information processor 121 shown in Fig. 3. As stated in the specification from page 137, line 19 to page 138, line 7, the processing of the flowchart of Fig. 70 is executed by the information processing means 121 of the equipment manufacturer portal server. It is further stated at

page 137, lines 24 to 26 that an order start request notification is received from the communication information equipment (110 of Fig. 1). This can be seen to correspond to the stage in which the portal server receives information for the status of use of consumable goods from the communication information equipment (see step S10702 of Fig. 107, and specification at page 177, lines 19-27).

In addition, Fig. 67 shows the flowchart of the order start processing executed by the communication information equipment 110. As stated in the specification from page 130, line 27 to page 131, line 7, the order start information includes the consumption amount of the consumable goods accumulated in the storage area.

Thus, the claimed "receiving unit" is believed to be in compliance with § 112, first paragraph.

With respect to the claimed "storage unit," the storage unit can be seen to correspond to the mail order center registration information database 128 shown in Fig. 3. As stated in the specification at page 165, lines 8 to 12, the consumption discount price total recorded in the order table to all the order tables of the mail order center specified in the mail order center registration information database 128 is calculated as settlement information. In addition, as stated at page 179, lines 9 to 16, the order issue request mediation processing (S8105 of Fig. 81) is performed, and in this processing, the order table of an order of which the order issue request is received is registered in the mail order center registration information database in step S8202.

Accordingly, the claimed "storage unit" is believed to be in full compliance with § 112, first paragraph.

No other matters having been raised, the entire application is believed to be in condition for allowance and such action is respectfully requested at the Examiner's earliest convenience.

Applicant's undersigned attorney may be reached in our Costa Mesa, California office by telephone at (714) 540-8700. All correspondence should continue to be directed to our address given below.

Respectfully submitted,



Attorney for Applicant  
Edward A. Kmett  
Registration No. 42,746

FITZPATRICK, CELLA, HARPER & SCINTO  
30 Rockefeller Plaza  
New York, New York 10112-3801  
Facsimile: (212) 218-2200

CA\_MAIN 107908v1